

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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2431 MVAV LLC,

Plaintiff,

v.

JPMORGAN CHASE BANK, NATIONAL  
ASSOCIATION; and NATIONAL DEFAULT  
SERVICING CORPORATION

Defendants.

Case No. 2:16-cv-01022-MMD-GWF

ORDER

Defendant JPMorgan Chase Bank, NA (“Chase”) removed this case from Nevada state court on May 5, 2016, on the basis of diversity jurisdiction.<sup>1</sup> (ECF No. 1.) District courts have original jurisdiction over civil actions where the matter is between citizens of different states, and where the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332(a). Although corporations are citizens of any state in which they are incorporated or have their principal place of business, “an LLC is a citizen of every state of which its owners/members are citizens.” *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006).

Chase asserts that complete diversity exists because “Plaintiff is a Delaware limited liability company and none of the properly named defendants is a citizen of Nevada or Delaware.” (ECF No. 1 at 3 (citation omitted).) But as “the party asserting

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<sup>1</sup>Defendant National Default Servicing Corporation filed a notice of consent to removal on May 6, 2016. (ECF No. 7.)

1 diversity jurisdiction[, Chase] bears the burden of proof.” *Kanter v. Warner-Lambert Co.*,  
2 265 F.3d 853, 857-58 (9th Cir. 2001). Chase has not met its burden. Instead, Chase has  
3 yet to identify any members of Plaintiff (an LLC) or clarify whether those members are  
4 citizens of different states than Defendants. Neither Chase’s petition for removal (ECF  
5 No. 1) nor its statement regarding removal (ECF No. 13) satisfies the diversity of  
6 citizenship requirement under 28 U.S.C. § 1332(a).

7 It is therefore ordered that Chase must supplement its statement regarding  
8 removal with a document that identifies the state citizenships of each member of Plaintiff  
9 2431 MVAV, LLC. Chase must file the supplement within ten (10) days of the date of this  
10 Order.

11 DATED THIS 26<sup>th</sup> day of May 2016

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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE  
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